ORGANIZED CRIME AGENCY

OF

BRITISH COLUMBIA

ANNUAL REPORT

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A. Introduction

History. The Organized Crime Agency of British Columbia (OCABC) was established as a Designated Policing and Law Enforcement Unit under the *Police Act* (British Columbia) on March 11, 1999.

OCABC was developed in response to the *Report of the Organized Crime Independent Review Committee* (the "Report") chaired by Stephen Owen, Q.C. which examined British Columbia's response to organized crime investigation and enforcement.

Essential Components. OCABC was specifically designed to address the fundamental problems with its predecessor, the Coordinated Law Enforcement Unit (CLEU). As presented in the Report on organized crime, the following are the essential components of British Columbia's strategy to fight organized crime:

- **Police Independence**: Police officers should not be subject to direction from government in deciding whether to investigate an alleged offence, how to do so or whether to recommend that charges be laid.

- **Accountability and Oversight**: The enforcement and intelligence components of B.C.'s fight against organized crime must be accountable to an oversight body that has meaningful authority and an expertise in and commitment to combating organized crime.

- **Management**: There should be one senior police officer in charge of B.C.'s response to organized crime. This person should have demonstrated leadership skills and expertise in combating organized crime and should attract the confidence of all stakeholders.

- **High Quality Staff**: The fight against organized crime requires highly trained staff with sophisticated skills in complex investigations. This includes seasoned police officers, tactical intelligence analysts, special investigators and forensic accountants, to name a few.

- **Aggressive Enforcement**: British Columbia's response to organized crime requires an aggressive police-based enforcement program which creates an environment inhospitable to organized crime groups. To achieve this, B.C.'s response must be flexible enough to respond effectively to the ever-changing face of organized crime.

- **Integrated Response**: Essential to the fight against organized crime is the capacity to liaise locally, nationally and internationally and involve all relevant law enforcement partners and criminal justice components.

- **Provincial Scope**: Organized crime affects all British Columbians; therefore, the response must reach to all corners of the province.

- **Adequate Resources**: Each enforcement project should be adequately resourced with investigators, intelligence analysts, technical support personnel, a proceeds of crime unit, and legal advisors.

- **Equity**: All law enforcement partners must contribute human resources on an equitable basis.

- **Physical Plant**: The physical facilities in which the response to organized crime is housed should be suitably located with adequate space and appropriate amenities.

Consistent with the recommendations of the report, OCABC was set up as an independent policing and law enforcement unit under the *Police Act* (British Columbia) with one Chief Officer in charge. As a designated policing and law enforcement unit, OCABC is similar to municipal police departments in three fundamental ways: it is independent from government, is governed by a board, and is staffed with sworn police officers.

Although OCABC is similar in legal structure to British Columbia's municipal police departments, the scope of its mandate exceeds provincial and even national boundaries. OCABC is the provincial agency to link with national and international strategies to fight organized crime. OCABC, as the provincial strategy to fight organized crime, must collaborate with other national and international law enforcement partners to develop strong partnerships, coordinate collection, analysis, and disseminate intelligence, as well as to promote consistent, complementary legislative strategies to suppress and disrupt organized crime activities.

OCABC, along with other law enforcement partners, works with Provincial authorities in developing meaningful suggestions for legislative changes to ensure Canada's laws are consistent with other United Nations. Through the network of intelligence bureaux in Canada managed by the Royal Canadian Mounted Police (Criminal Intelligence Services Canada, Criminal Intelligence Services British Columbia), OCABC plays an integral role in intelligence sharing with other jurisdictions. OCABC's commitment to liaise with and coordinate enforcement initiatives with law enforcement partners in other jurisdictions is a vital link to a national and international strategy to fight organized crime.

B. Mandate and Defining Principle

Mandate. The mandate of the Organized Crime Agency of British Columbia *is to facilitate the disruption and suppression of organized crime which affects British Columbians*.

Defining Principle. *The Agency is an aggressive, professional, and respected team combating organized crime, in partnership with other organizations, through the bold and innovative application of ethical and progressive law enforcement techniques*.

C. Governance

Under the authority of the Canadian Constitution, the Province is responsible to ensure that British Columbia is policed effectively. It is also clear that under the principle of police independence, individual police officers should not be subject to direction from any level of government with respect to the exercise of their police powers in deciding whether to investigate an alleged offence or whether to recommend charges be laid.

In the current system, independent policing units are accountable to police boards that are appointed by Government (i.e., the Minister in the case of Designated Policing Units; the Lieutenant Governor in Council in the case of Municipal Police Departments).

Consistent with the *Police Act* (British Columbia) and the regulation for the Organized Crime Agency of British Columbia, the Board holds the following responsibilities:

- Oversee the management of OCABC, including preparation and approval of budget policies and processes;
- Develop and oversee an organization to enforce laws targeting organized crime groups;
- Determine, in consultation with the minister and chief officer, the priorities, goals, and objectives of OCABC;
- Report to the minister on the activities and implementation of programs of OCABC;
- Appoint, subject to the minister's approval, a chief and deputy chief officer and designated officers;
- Make rules consistent with the *Police Act;* and
- Serve as the employer of the OCABC designated police officers, designated law enforcement officers, and civilian staff.

The Board comprises six Directors and one Chair, all representing various communities and interests across the province. The current Governance Board members are:

Douglas Richardson, Chair
Victoria

Ben Lee
Kelowna

Henry Braun
Abbotsford

Jim Cessford
Delta

Gail Martin
Delta

Martha McNeely
Victoria

Murray Johnston
Vancouver

Board members are appointed by the Attorney General in consultation with the policing community in British Columbia.

Board membership includes ethnic diversity, gender balance, and a range of professional expertise (e.g., law, business, education). Organized crime enforcement is highly sophisticated, highly sensitive, requiring strong cooperation among all law enforcement groups provincially, nationally, and internationally. Therefore, it was essential that representation from the British Columbia policing community be included on the Board (i.e., Commanding Officer RCMP "E" Division, Representative of the British Columbia Municipal Chiefs of Police).

The Board meets regularly on a monthly basis or whenever necessary and has worked closely with the Chief Officer to establish the organization structure, administrative policies, a Business Plan, and contacts with key stakeholders.

D. Organization Development

Selection of the Chief Officer. In May, 1999, the first Chief Officer, Bev Busson, was selected from a group of highly skilled and qualified candidates after a Canada-wide recruitment and selection strategy.

Chief Officer Busson holds a Bachelor of Laws Degree from the University of British Columbia, has extensive police experience in the area of organized crime and other sophisticated investigations, and was, just prior to her appointment as Chief Officer, the Commanding Officer of Royal Canadian Mounted Police "F" Division (Saskatchewan). Chief Officer Busson is highly regarded in local, national, and international policing circles.

Selection of the Deputy Chief Officer. Following a period of extensive consultation and an aggressive Canada-wide recruitment and screening process, the Deputy Chief Officer was selected from a pool of over sixty highly qualified police leaders from throughout Canada. This posting stimulated significant nation-wide interest and surfaced many outstanding candidates for the position.

The successful candidate, Deputy Chief Peter Ditchfield, has extensive operational and leadership experience and skills developed during his 22 years with the Vancouver Police Department (VPD) which was primarily in areas targeting career criminals. His last assignment was as Officer in Charge of the VPD Tactical Support Section which included responsibility for the Gang Crime Unit, Outlaw Motorcycle Gang Unit, Emergency Response Team (ERT), and Strike Force (a surveillance unit targeting career criminals).

Director of Finance and Administration. A senior manager from the Ministry of Attorney General was selected and seconded from the Ministry of Attorney General. The role of this position was to oversee the development, implementation, and management of the business and independent employer systems and practices for the Agency.

Executive Coordinator. Concurrent with the appointment of the Director of Finance and Administration, an executive coordinator was established to support the Chief Officer. This position has evolved to include the role of corporate secretary to the Board and is responsible for liaison between the Agency and the Board.

Consultation. Prior to making any decisions regarding organization design, the Chief Officer engaged in extensive provincial, national, and international consultations.

A five day focus group was held during June, 1999 and attended by thirty of the most highly trained and experienced police investigators from the various partner police departments in British Columbia. Participants in these proceedings held expertise in investigation and enforcement of proceeds of crime, drugs, outlaw motorcycle gangs, and Asian and eastern European organized crime groups as well as expertise in various issues related to intelligence gathering, storage, and dissemination. Information and insights gained from this session laid the foundation for further organization planning.

Ongoing discussions with representatives from an extensive list of other law enforcement partners were held, including the RCMP, municipal police, Criminal Intelligence Services British Columbia (CISBC), Criminal Intelligence Services Canada (CISC), Revenue Canada, Immigration Canada, Federal and Provincial Crown, Canadian Security and Intelligence Service, Federal Bureau of Investigation, and other similar American counterparts.

Organization Structure. As with any developing organization, the structure evolved over a period of time and as a result of ongoing consultation. As demonstrated in the organization chart (Figure 1), the organization focus is on operations and enforcement with only the essential financial and administrative functions represented. Further, the organization was developed around targeting organized crime groups, not the more traditional approach to focussing on commodities (e.g., drugs, fraud, prostitution, gaming).

Currently the organization is staffed by over 95 individuals, including ten managers, 31 operational support staff, 35 seconded officers from the majority of municipal police departments, along with 19 Provincial RCMP officers. To date these officers' salaries and benefits are covered by their home police agencies. Plans to develop a Vancouver Island operations office are currently underway; this will be the first step in expanding OCABC's law enforcement presence provincially.

Management Team Development A Controller and Manager of Human Resources were hired in September, 1999. These staff were in place early in the evolution of the Agency to assist with establishing OCABC as an independent policing agency, both financially and as an employer.

Recruitment of four operational police managers functioning as Team Leaders was also completed during the initial stages of the establishment of the Agency. These highly trained and experienced police leaders were each hired to lead a specific strategic enforcement program and to oversee the work of their respective teams of police officers.

Each of the Team Leaders is an employee of OCABC and is appointed by the Attorney General as a Designated Constables under the *Police Act* (B.C.). They all have extensive policing experience in the area of organized crime and complex, sophisticated investigations and have, on average, between 20 and 25 years of police experience in either the Royal Canadian Mounted Police or municipal police departments in British Columbia. They have been recognized as expert witnesses in Provincial and Supreme Courts on the subjects of drugs, wiretaps, outlaw motorcycle gangs, and Asian organized crime groups and are recognized for their expertise in organized crime locally, nationally, and internationally in law enforcement circles.

In addition to the Team Leaders, there are a number of other highly trained experts focussing on specific areas of organized crime such as Proceeds of Crime, Outlaw Motorcycle Gangs, Asian-Based Organized Crime, Eastern European-Based gangs, pornography, internet crime, surveillance, and witness protection. These positions perform coordination and consultation roles within OCABC and throughout the Province.

Strategic Planning Session. OCABC has initiated and completed the first stage of a strategic planning process which will include input from the Board, OCABC staff, and other key stakeholders (e.g., law enforcement partners). Built into the resulting document

will be goals, objectives and a strategy for ongoing evaluation of the effectiveness of the Agency.

It is the specific intent of OCABC to have an ongoing strategic planning process to maintain flexibility to address emerging issues in the fight against organized crime.

Business Plan The Agency, in collaboration with the Board, submitted a Business Plan to the Ministry of Attorney General in September of 1999 as a vehicle to provide input to the ongoing budgeting process of the Province. OCABC will submit an updated Business Plan on an ongoing basis.

The Business Plan was the first document to set out the Agency's strategies and goals and outlined how it would function within the first year of operation. It was used to brief the Assistant Deputy Minister, Public Safety and Regulatory Branch, Treasury Board staff, and the Deputy Minister/Deputy Attorney General.

E. Finance

Independence from government is one of the key features for police integrity and, therefore, is an important contributor to success of the Agency. Many of the criteria for independence flow from financial management.

Developing the Agency as an independent, stand-alone policing and law enforcement unit hinged on the timely implementation of organizational policies and systems for fiscal tracking and accountability. The establishment of these processes also permitted the seamless transfer of responsibility from the Coordinated Law Enforcement Unit to the jurisdiction of the Agency on behalf of the Governance Board. A number of key accomplishments have been achieved in this regard including the establishment of the Agency's first budget, implementation of financial tracking systems and selection of an independent financial institution, all contributing to the Agency's ability to function as an independent policing agency.

As endorsed by the Report on organized crime, operational success for OCABC is dependent on adequate resourcing of the Agency for enforcement projects that will target organized crime groups at their highest level. The fight against organized crime is expensive and requires highly trained and skilled police officers, sophisticated technical equipment, and state-of-the-art computers.

F. Human Resources

Recruitment Program. Since May, 1999 an aggressive human resource implementation program has evolved. In addition to the hiring of the Chief, Deputy Chief and Team Leaders, 54 police officers have been seconded and 31 operational support staff have been hired by the Agency.

Employer Status. Steps to establish the Agency as an independent employer involved registering with the Medical Services Plan, Revenue Canada, Workers Compensation Board, and Superannuation. Other accomplishments included completion of a comprehensive compensation and benefits package, establishment of a pension plan, and agreements on hours of work.

Policy Development. Further, in order to govern the human resource implementation plan, a number of policy development initiatives were completed (e.g., Health and Safety, Employee Policy and Practices, Salary Administration).

G. Physical Plant

As documented in the *Report of the Organized Crime Independent Review Committee* chaired by Stephen Owen, Q.C., the old building occupied by CLEU was not suited to operational needs of the new Organized Crime Agency. A new facility which is located in a more centralized location in the lower mainland, is structured to facilitate operations and security, and is more cost effective than the buildings that housed CLEU. Over a 10 year period, cost savings related to relocation, are projected to be $2.4 Million.

OCABC is also in the process of establishing a new, more cost-effective facility on Vancouver Island that will serve the needs for enforcement of organized crime on the Island. This move from the building occupied by CLEU will save $1.25 Million over a 10 year period.

H. Operations

General. The mandate of OCABC is to facilitate the disruption and suppression of organized crime that affects British Columbians. Consistent with this, the primary goal of the operational unit is to act as a catalyst in bringing together agencies and their investigators involved in organized crime enforcement. The fundamental role of OCABC operations is to be a leader in facilitating collaboration among law enforcement partners in projects of common interest.

To fulfil its mandate, it is imperative that OCABC have access to state-of-the-art equipment and technical expertise to deal with the sophistication of modern organized crime groups. Therefore there is a continuing need for up-to-date computer technology for complex investigations as well as for addressing the legal imperatives imposed by the *Charter of Rights and Freedoms* due to contemporary disclosure laws, changing attitudes toward transparency of the legal system, and human rights legislation.

Policy & Procedures. OCABC has already produced, in draft form, an operations policy and procedure manual which is consistent with best practices in the police community and Provincial Policing Standards. This document will be reviewed and amended on an ongoing basis as laws evolve and best practices change.

The Agency is currently recruiting a Policy and Research Coordinator to ensure best practices are current and leading edge in policing policy.

Training. OCABC operations has already established a training committee mandated to keeping abreast of emerging training issues and ensuring that appropriate levels of training are maintained for officers.

All Agency surveillance officers have now completed initial training on best practices related to surveillance. OCABC Designated Officers have all met the Provincial Firearms Qualification administered through the Justice Institute of British Columbia.

In January, 2000, all staff received two weeks of in-house operational training on various issues related to organized crime. This training was delivered on-site and included presentations by various experts from across the province in topics such as organized crime prosecutions, outlaw motorcycle gangs, drugs, gaming, and proceeds of crime.

Liaison and External Linkages. OCABC recognizes the importance of taking a leadership role in fostering partnerships between law enforcement agencies and ensuring information sharing.

British Columbia is a target-rich policing environment; selective identification of enforcement targets and close collaboration with a wide range of authorities is paramount to creating a profound impact on the disruption and suppression of organized crime. In a spirit of collaboration, OCABC is dedicated to working with other policing and law enforcement units to permit strategic targeting of the highest level of organized crime groups.

Therefore, the Agency participates in the Regional Operational Police Managers' Committee (ROPMC) which brings together municipal police departments and RCMP Municipal Detachments. OCABC also is a key participant in a subcommittee of the

ROPMC mandated to coordinate operational initiatives to disrupt and suppress marijuana grow operations.

Provincial Advisory Committee. As a Designated Policing and Law Enforcement Unit, OCABC is accountable to the Governance Board. The role of police chiefs is evolving into a provincial advisory body providing targeting advice and operational support and collaboration with OCABC through monthly face-to-face meetings.

Information Sharing. The key to fighting organized crime groups is information sharing. However, within the context of policing such an operationally sensitive area, a delicate balance between information sharing and privacy must be maintained. The integrity of the Agency hinges on the ability to balance their capacity to share sensitive information and intelligence and to be trusted to share on only a need to know basis.

To ensure access to information, the Agency must be able to contribute information to and retrieve information from various local, national and international data bases (e.g., CPIC, ACIIS II, Prime BC, Vancouver Police Department Records Management System). OCABC already has access to many of the required information banks including Category I Status for CPIC (Canadian Police Information Centre) which is the highest classification for access to the system and is reserved only for fully functioning policing units.

Enforcement Teams. Enforcement teams which effectively combat organized crime must comprise highly trained, dedicated officers and civilian support staff. To this end, the Agency has established teams of well qualified officers seconded from both the RCMP and municipal police from across the province. Civilian support staff, each with specialized skills required for investigating and enforcing organized crime, have been hired by the Agency.

The structure of the teams permits some units to focus on specific types of operations while a Quick Response Team (QRT) addresses emerging operational issues arising from long term projects or identified through outside contacts. In addition, an operational support team specializes in equipping and providing technical support to all enforcement personnel and includes technical surveillance and wire tap expertise. These services are provided to teams either within or external to the Agency. An operational team on Vancouver Island is currently being developed; this unit will serve as a model for further expansion across the province.

Of particular importance in the fight against organized crime is the ability to ensure the forfeiture of the proceeds of crime. The ability to adversely affect organized crime groups financially is key to the disruption of organized crime groups' power. A Proceeds of Crime Team is in place and will be involved in all investigations from the initial planning phase until completion as well as throughout the prosecution. The Proceeds of Crime Team is critical to the Agency's success.

Technical Equipment. In the past, the Coordinated Law Enforcement Unit relied heavily on the RCMP for assistance in providing operational technical services. Over the past few years, with the increasing demand for these services the RCMP has prioritized requests for services and is taking projects on as a first come first served basis. With the aggressive enforcement mandate of OCABC, it became apparent that the Agency could not be in a position where it relied on an outside police force to dictate project priorities. OCABC is in the process of acquiring the necessary technical resources to conduct its own projects independently.

The technical assets transferred from CLEU to OCABC were, in most cases, old and in need of replacement. OCABC has entered into an aggressive replacement program to upgrade and add to our inventory and technical capability. This aggressive approach and the ability to share resources and technical expertise with other law enforcement partners will bring us to the forefront in technology.

Initial Operational Successes. A number of enforcement projects have already been completed both on the mainland and Vancouver Island. Each of these initiatives has been undertaken in cooperation with other police forces. These projects involved a range of targets including organized crime marijuana grow operations, a psylocybin (magic mushrooms) factory, gaming houses as well as a credit card counterfeiting operation.

Law Enforcement Partners. Sharing information and developing trusting relationships is the cornerstone of success in the fight against organized crime. The Agency has already established collaborative relationships with many law enforcement partners (e.g., Criminal Intelligence Services British Columbia, RCMP, Municipal Police, Revenue Canada, Immigration Canada).

Development of these partnerships is still evolving as OCABC becomes increasingly proactive in pursuing its mandate.

I. Next Steps

Operational Expansion. To complement existing operational teams, planning is already underway to develop a forensic team comprising skills in computer analysis, forensic accounting and other related disciplines.

The development of a Human Source Section is currently underway. This unit will be responsible for handling compliance with the *Freedom of Information and Protection of Privacy Act*, dealing with a variety of types of sensitive information, including the management of human sources.

Provincial Scope. As the Agency becomes more established, increased presence throughout British Columbia will be imperative. This will be achieved through collaboration with law enforcement partners from across the province. In addition, setting up temporary and permanent operational teams in various regions, ensuring responsiveness to areas outside Vancouver Island and the mainland is underway. These units will be designed specifically to address changing enforcement demands across the province.

Communication Strategy. Within the next month, OCABC will complete its communications strategy that will ensure effective communication with the public, law enforcement partners, and government. In addition to reporting on the operational successes of OCABC and its law enforcement partners, OCABC will ensure that the public has current information on the nature and extent of organized crime.

The communication strategy will specifically include a media liaison officer, a press release format and process, and a news media distribution network.

J. Conclusions

OCABC has used the ten essential components of British Columbia's strategy to fight organized crime set out in the Report on organized crime as a framework to guide organizational development.

OCABC, through the leadership of the Board and the Chief Officer along with the work of the agency staff, is now fully operational. Enforcement successes have already been achieved as the result of their highly skilled officers and operational support personnel collaborating with other law enforcement partners.

During the next months, OCABC will broaden its operational expertise as it expands its enforcement capacity provincially. Continuous planning and evaluation of effectiveness will ensure that the Agency maintains a sharp focus on its mandate and vision.

Figure 1

ORGANIZED CRIME AGENCY OF BRITISH COLUMBIA